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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

DOMINIC JESUS TREJO,

Defendant and Appellant.

B215883

(Los Angeles County  
Super. Ct. No. KA079211)

THE COURT:\*

Dominic Jesus Trejo appeals from the judgment entered following his plea of no contest to one count of unlawful sexual intercourse. (Pen. Code, § 261.5, subd. (c).)<sup>1</sup> Pursuant to the parties' plea agreement, the court suspended imposition of sentence and placed appellant on five years of formal probation, with the condition that he serve 45 days in the county jail. Among other conditions, appellant was prohibited from possessing any dangerous or deadly weapons, and was required to submit to searches of his person or property any time of day or night. On June 20, 2008, appellant was found

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\* BOREN, P. J., ASHMANN-GERST, J., CHAVEZ, J.

<sup>1</sup> All further statutory references are to the Penal Code unless otherwise indicated.

to be in violation of probation. The trial court ordered that he remain on probation on the same terms and conditions as before. Appellant was sentenced to serve 90 days in jail, and was given credit for having served the 90 days.

On March 30, 2009, while conducting a probation search at appellant's residence, police officers found a small, Samurai sword/knife, with a seven and a half inch blade inside a desk in the living room where appellant slept. The knife was similar to a letter opener. Other knives, swords, and crossbows were found in a bedroom shared by appellant's brothers. Police officers also found a hunting knife, a pocket knife, a double bladed knife, and a marijuana pipe on a table in the garage where appellant's cousin lived. One of appellant's brothers and the cousin claimed ownership of the weapons. On April 24, 2009, the trial court determined that appellant was in possession of the knife found in the living room desk, in violation of the terms of his probation. The trial court sentenced him to the low term of 16 months in state prison.

We appointed counsel to represent him on this appeal.

After examination of the record, counsel filed an "Opening Brief" in which no issues were raised.

On September 2, 2009, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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